

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the instant application:

1. (Currently Amended) A method of eliciting a response comprising:

identifying [[the]] available network capacity of a combined packet-switched and circuit-switched network comprising a plurality of distinct delivery channels, including at least one private network channel for communicating with a private network device, at least one telephonic channel for communicating with telephonic device, and at least one public network channel for communicating with a public Web site, an appliance interface, and a programmable marquee, for transmitting electronic content for an electronic campaign and receiving consumer responses to said transmitted electronic content;

transmitting electronic content over at least one delivery channel of the network according to a predetermined outbound transmission flow rate for said electronic campaign;

concurrently determining the effectiveness of the electronic campaign by analyzing consumer responses to said transmitted electronic content, wherein said transmitted electronic content is transmitted over [[a]] the plurality of delivery channels;

further analyzing received consumer responses associated with each of said plurality of delivery channels used to transmit the electronic content and, based upon the received consumer responses analyzed, determining which of said plurality of delivery channels is more effective than each of the other of said plurality of delivery channels;

selectively redirecting at least a portion of the electronic content from other of said plurality of delivery channels to the delivery channel determined to be more effective;
and

dynamically modifying said outbound transmission flow rate over at least one delivery channel for said electronic campaign according to said determined effectiveness of the electronic campaign and said identified available network capacity.

2. (Original) The method of claim 1, wherein said electronic content is electronic marketing content which is part of an electronic marketing campaign.

3. (Previously Presented) The method of claim 1, wherein said dynamically modifying step comprises:

determining a bandwidth of said identified network capacity required for receiving consumer responses and a bandwidth of said identified network capacity required for transmitting electronic content according to said determined effectiveness of the electronic campaign;

prior to transmitting said electronic content, selectively format converting said electronic content according to said determined bandwidth for transmitting electronic content.

4. (Original) The method of claim 1, wherein said step of identifying the available network capacity comprises determining available bandwidth of the network, and determining a bandwidth utilized by said outbound electronic content and said received consumer responses.

5. (Original) The method of claim 1, wherein said concurrent determining step further comprises determining a number of received consumer responses.

6. (Cancelled)

7. (Previously Presented) The method of claim 1, further comprising the step of dynamically increasing an outbound transmission flow rate for said electronic content transmitted over at least one delivery channel associated with at least a predetermined minimum percentage of consumer responses.

8. (Previously Presented) The method of claim 1, further comprising the step of dynamically decreasing an outbound transmission flow rate for said electronic content transmitted over at least one delivery channel which is not associated with at least a predetermined minimum consumer responses.

9. (Cancelled)

10. (Original) The method of claim 5, wherein said step of dynamically modifying the electronic campaign further comprises:

selecting at least one message from said electronic content, said selected message being associated with more consumer responses than other messages of said electronic content; and

transmitting said selected message in place of said other messages.

11. (Currently Amended) A system for eliciting responses comprising:

at least one delivery application for formatting electronic content for an electronic campaign and transmitting said electronic content according to a predetermined outbound transmission flow rate for said electronic campaign to consumers over a ~~computer~~ communications network, wherein said transmitted electronic content is transmitted over a plurality of delivery channels, and wherein said communications network is a combined

packet-switched and circuit-switched network comprising a plurality of distinct delivery channels, including at least one private network channel for communicating with a private network device, at least one telephonic channel for communicating with telephonic device, and at least one public network channel for communicating with a public Web site, an appliance interface, and a programmable marquee,;

a network analysis component configured to determine available network capacity according to, at least in part, said transmitted electronic content and consumer responses to said transmitted electronic content, and to balance the network load according to said determined available network capacity;

a meter configured to determine the effectiveness of transmitting the electronic content by monitoring said consumer responses to said transmitted electronic content, and to dynamically modify said outbound transmission flow rate-according to said determined effectiveness and said determined available network capacity;

a monitor for analyzing received consumer responses associated with each of said plurality of delivery channels used to transmit the electronic content and, based upon the received consumer responses analyzed, determining which of said plurality of delivery channels is more effective than each of the other of said plurality of delivery channels;

wherein said monitor is further configured to selectively redirect at least a portion of the electronic content from other of said plurality of delivery channels to the delivery channel determined to be more effective.

12. (Previously Presented) The system of claim 11, further comprising:

a message controller configured to dynamically increase the outbound transmission flow rate of electronic content over at least one delivery channel, wherein said delivery channel is associated with at least a predetermined minimum percentage of consumer responses.

13. (Original) The system of claim 12, wherein said message controller is configured to selectively format convert said electronic content according to said determined available network capacity prior to transmitting said electronic content.

14. (Currently Amended) A computer-readable storage having stored thereon, a computer program having a plurality of code sections, said code sections executable by a machine for causing the machine to perform the steps of:

identifying [[the]] available network capacity of a combined packet-switched and circuit-switched network comprising a plurality of distinct delivery channels, including at least one private network channel for communicating with a private network device, at least one telephonic channel for communicating with telephonic device, and at least one public network channel for communicating with a public Web site, an appliance interface, and a programmable marquee, for transmitting electronic content for an electronic campaign and receiving consumer responses to said transmitted electronic content;

transmitting electronic content over at least one of the plurality delivery channels of the network according to a predetermined outbound transmission flow rate for said electronic campaign;

concurrently determining the effectiveness of the electronic campaign by analyzing said received consumer responses to said transmitted electronic content, wherein said transmitted electronic content is transmitted over a plurality of delivery channels;

further analyzing received consumer responses associated with each of said plurality of delivery channels used to transmit the electronic content and, based upon the

received consumer responses analyzed, determining which of said plurality of delivery channels is more effective than each of the other of said plurality of delivery channels;

selectively redirecting at least a portion of the electronic content from other of said plurality of delivery channels to the delivery channel determined to be more effective;
and

dynamically modifying said outbound transmission flow rate at least one of the plurality delivery channels of the network for said electronic campaign according to said determined effectiveness of the electronic campaign and said identified available network capacity.

15. (Previously Presented) The computer-readable storage of claim 14, wherein said electronic content is electronic marketing content which is part of an electronic marketing campaign.

16. (Previously Presented) The computer-readable storage of claim 14, wherein said dynamically modifying step comprises:

determining a bandwidth of said identified network capacity required for receiving consumer responses and a bandwidth of said identified network capacity required for transmitting electronic content according to said determined effectiveness of the electronic campaign;

prior to transmitting said electronic content, selectively format converting said electronic content according to said determined bandwidth for transmitting electronic content.

17. (Previously Presented) The computer-readable storage of claim 14, wherein said step of identifying the available network capacity comprises determining available

bandwidth of the network, and determining a bandwidth utilized by said outbound electronic content and said received consumer responses.

18. (Previously Presented) The computer-readable storage of claim 14, wherein said concurrent determining step further comprises determining a number of received consumer responses.

19. (Cancelled)

20. (Previously Presented) The computer-readable storage of claim 14, further comprising the step of dynamically increasing an outbound transmission rate for said electronic content transmitted over at least one delivery channel associated with at least a predetermined minimum percentage of consumer responses.

21. (Previously Presented) The computer-readable storage of claim 14, further comprising the step of dynamically decreasing an outbound transmission rate for said electronic content transmitted over at least one delivery channel which is not associated with at least a predetermined minimum percentage of consumer responses.

22. (Cancelled)

23. (Previously Presented) The computer-readable storage of claim 18, wherein said step of dynamically modifying the electronic campaign further comprises:

selecting at least one message from said electronic content, said selected message being associated with more consumer responses than other messages of said electronic content; and

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transmitting said selected message in place of said other messages.